

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

JOHN HALE

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:03cv840LG-JMR

HARRISON COUNTY, ET AL.

DEFENDANTS

JUDGMENT

This cause came on this date to be heard upon the Proposed Findings of Fact and Recommendations of Chief United States Magistrate Judge John M. Roper [144-1] entered in this cause on July 20, 2006, together with Plaintiff's objections [148-1] filed August 3, 2006. The Court, having adopted said Report and Recommendation as the finding of this Court by Memorandum Opinion and Order entered this date, finds that Defendants' Motion for Summary Judgment should be granted in part and denied in part. Accordingly,

IT IS ORDERED AND ADJUDGED that because there is no genuine issue as to any material fact on Plaintiff's claims against the named Defendants, save the excessive force claim against Defendants Kenny Rogers, E.W. Collins and T.P. Wills, judgment is rendered in favor of the Defendants pursuant to FED. R. CIV. P. 56. Plaintiff's excessive force claim against Defendant Rogers, Wills and Collins will proceed. All remaining named Defendants are dismissed.

SO ORDERED AND ADJUDGED this the 10th day of August, 2006.

s/ Louis Guirola, Jr.
LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE